

LR48-AR15-08 COURT REPORTER SERVICES

A. Definitions. The following definitions shall apply under this local rule:

1. *Court Reporter*: a person who is specifically designated by a court to perform the official court reporting services for the court, including preparing a transcript of the record.

2. *Equipment*: all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording, storing, and transcribing electronic data.

3. *Work space*: that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.

4. *Page*: the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure VII B.

5. *Recording*: the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.

6. *Regular hours worked*: those hours which the court is regularly scheduled to work during any given work week.

7. *Overtime hours worked*: those hours worked in excess of forty (40) hours per work week.

8. *Work week*: means a seven (7) consecutive day week that consistently begins and ends on the same day throughout the year.

9. *County indigent transcript*: a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

10. *State Indigent transcript*: a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.

11. *Expedited transcript*: a transcript that is required to be completed in fourteen days or less if under 200 pages, or in 30 days or less, if over 200 pages.

B. Salaries and Per Page Fees.

1. Court Reporters shall be paid an annual salary for time spent working under the control, direction, and direct supervision of their supervising Judge during regular work hours or overtime hours. The supervising Judge shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for overtime hours.
2. The maximum per page fee a court reporter may charge for the preparation of a non-expedited transcript shall be ~~\$4.00~~ \$4.50 per page. However, the Court may authorize up to ~~\$5.00~~ \$5.50 per page for expedited transcripts. A reporter may charge \$1.00 per page for copies of transcripts. If any public facilities, supplies or equipment are used in the recording, transcribing, or preparation of any transcript, the reporter shall reimburse the county at the rate of .10 per page. If such transcript is not paid out of county funds, the reporter shall reduce the fee invoiced by .10 per page. If such transcript is not paid out of county funds, the reporter shall bill at the full rate, and remit the .10 per page portion to the county.
3. A minimum fee up to \$35.00 per transcript is permissible.
4. Index and Table of Contents pages should be charged at the per page rate being charged for the rest of the transcript.
5. An additional labor charge equal to the court reporter hourly court salary will be charged for the time spent binding the transcript and the exhibit binders.
6. A Court Reporter shall not be compensated for transcripts prepared during regular working hours. Private transcripts shall not be prepared during regular working hours.

~~7. — A reasonable charge for the office supplies required and utilized for the binding and electronic transmission of the Transcript, pursuant to Indiana Rules of Appellate Procedure 28 and 29, is permissible. The costs for these supplies should be determined pursuant to a Schedule of Transcript Supplies which should be established and published annually by the Judges of the county.~~

~~8. 7.~~ At separation of employment, the court reporter forfeits all future claim to income derived from requested copies of previously typed transcripts.

~~9. 8.~~ Upon payment for an indigent transcript, the court reporter shall transfer the original floppy disk (or other electronic media) containing the fully transcribed record to the custody of the court.

C. Private Practice.

1 If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, workspace, and supplies, and the court agrees to the use of the court equipment for such purposes, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

- a. The reasonable market rate for the use of equipment, work space and supplies;
- b. The method by which records are to be kept for the use of equipment, work space and supplies, and
- c. The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.

2. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

~~D. — Relevant Indiana Statutes and Trial Rules.~~

~~Pertinent Indiana Statutes and Indiana Rules of Court regarding the Unified Court policy regarding the transcription of court proceedings are as followings:~~

~~I.C. 33-5-33.1-8, Appointment of personnel. The court may appoint court~~

~~reporters to transact the business of the court. The persons so appointed shall perform such duties as prescribed by the court.~~

~~I.C. 33-15-23-1, Appointment and duties of official reporters. The Judges of each division of the Circuit Court shall appoint an official reporter.~~

~~I.C. 33-15-23-5, Transcript of proceedings. Whenever ... such reporter shall be requested to do so (they) shall furnish to either party a transcript of all or any part of said proceedings required by (them) to be taken, ... and it shall be (their) duty to furnish the same in ... typewriting ... and shall certify that it contains all the evidence given in the cause.~~

~~Trial Rule 74 (A), Court reports. The Judge may authorize or direct the court reporter or any other responsible, competent person, in his discretion, to make a transcription from such recordings, and the same shall be certified by the person making said transcription.~~

~~E.~~ D. Court Transcription Policy.

1. Any person who is a court reporter or any other responsible person directed to prepare certified transcripts of court proceedings shall be administered a court reporter's oath before said person is entitled to prepare certified transcripts of proceedings.

2. Only Court employees are authorized to make certified transcriptions from recordings for the purpose of facilitating and expediting the trial of causes and appeals.³

The court reporter or other designated person causing a matter to be recorded shall have the first right of refusal to prepare any necessary certified transcriptions from said recording.

a. If the person with the first right of refusal to prepare a certified transcript declines to prepare said transcript, then other competent persons in the court of said recording's origination shall have, on a rotating basis, the next right of refusal to prepare said certified transcript.

b. If no person in the originating court exercises their option to prepare said certified transcript, then the person who caused the matter to be recorded shall select from a list maintained by Court Administration another responsible and competent person employed by the Court to prepare said certified transcript.

~~4. Court Administration shall be notified by transcript preparers of the beginning and completion of transcripts.~~

~~5.~~ 4. The person who prepares the certified transcript from recordings shall be the person who certifies the transcript as being complete and accurate.

~~6.~~ 5. All court reporters must use the same invoice for submission of payment (format on file in court administration).

~~7.~~ 6. The invoice must be accompanied by a copy of the transcript (to verify page numbers) and the minute entry approving the transcript.

~~8.~~ 7. The transcript shall be certified by the Court Administrator and signed by the judge of the court of origination unless the originating judge does not require the transcript to be first approved.

~~9.~~ 8. The payroll administrator will make a docket entry indicating the court reporter, number of pages, per page price, and total amount due once the invoice is submitted to Court Administration.